

REGULAR CITY COUNCIL MEETING
MAY 10, 1993

PRESENT

Don Dafoe	Mayor
Gayle Bunker	Council Member
Alan Burraston	Council Member
Robert Droubay	Council Member
Rex Harris	Council Member

ABSENT

Robert Dekker	Council Member
Richard Waddingham	City Attorney

OTHERS PRESENT

Dorothy Jeffery	City Recorder
Neil Forster	Public Works Director
Lance Johnson	City Resident
Ellen McMichael	City Resident
Jim Robson	Curley's Lounge
Mrs. Allred	City Resident
Judy Baker	City Treasurer
Gregory Schafer	Financial Assistant
Don & JoAnn Bird	City Residents
Mr. & Mrs. Max Humphries	City Residents

Mayor Dafoe called the meeting to order at 7:00 p.m. Dorothy Jeffery, City Recorder, acted as secretary. Mayor Dafoe stated that notice of the meeting time, place and agenda was posted at the principal office of the governing body located at 76 North 200 West and was provided to the Millard County Chronicle/Progress, KNAK Radio Station, and to each member of the City Council by personal delivery two days prior to the meeting.

Council Member Gayle Bunker offered an invocation, after which Mayor Dafoe led the Council in the Pledge of Allegiance.

MINUTES

The proposed minutes of a Regular City Council Meeting held April 12, 1993, were presented for consideration and approval. The Council reviewed the minutes briefly, after which Council Member Gayle Bunker MOVED that the minutes be approved as presented. The motion was SECONDED by Council Member Robert Droubay. Mayor Dafoe asked if there were any comments or questions regarding the motion.

There being none, he called for a vote. The motion passed unanimously.

The proposed minutes of a Public Hearing held April 29, 1993, were presented for consideration and approval. The Council reviewed the minutes briefly, after which Council Member Gayle Bunker MOVED that the minutes be approved as presented. The motion was SECONDED by Council Member Robert Droubay. Mayor Dafoe asked if there were any comments or questions regarding the motion. There being none, he called for a vote. The motion passed unanimously.

ACCOUNTS PAYABLE

The Council reviewed the accounts payable, a list of which had been given to them two days prior to the meeting. Following a brief discussion of the accounts payable, Council Member Gayle Bunker MOVED that the accounts payable be approved for payment as listed in the amount of \$80,004.03. The motion was SECONDED by Council Member Robert Droubay. Mayor Dafoe asked if there were any comments or questions regarding the motion. There being none, he called for a vote. The motion passed unanimously.

UNFINISHED BUSINESS

ATTORNEY RICHARD WADDINGHAM: STATUS OF FORECLOSURE OF TRUST DEED REGARDING PENDRAY ESTATES

In view of Attorney Richard Waddingham's absence, Mayor Dafoe explained that a Notice of Foreclosure on Pendray Estates has been filed with the court. Mr. Pendray has contacted Mayor Dafoe and said that he is in the process of getting the improvements made in the Pendray Subdivision.

ATTORNEY RICHARD WADDINGHAM: INCORPORATION FOR CHARITABLE DONATIONS TO DELTA CITY LIBRARY

In view of Attorney Richard Waddingham's absence, this item was not discussed.

MAYOR DON DAFOE: CDBG FUNDS FOR MAIN STREET BEAUTIFICATION PROJECT

Mayor Dafoe explained that a Public Hearing was held April 29, 1993, regarding the possibility of receiving additional funding through the Community Development Block Grant Program for FY 93-94.

However, Mayor Dafoe received a letter from Six County Association of Governments regarding the CDBG applicants for stimulus funds which stated that President Clinton's stimulus package was defeated; therefore the CDBG stimulus funds would not be available.

If the funds become available at a later date, Delta City's application will then be resubmitted.

NEW BUSINESS

LANCE JOHNSON, CITY RESIDENT: PURCHASE OF PROPERTY IN PENDRAY ESTATES

Mayor Dafoe welcomed Lance Johnson, City Resident, and asked him to address the City Council.

Lance Johnson said that it is his understanding that Delta City has started foreclosure proceedings on lots located in Plat "N" of Pendray Estates. He stated that he and other residents in the Pendray Subdivision are interested in purchasing those lots. He said that he and other residents would be willing to install curb, sidewalk and drainage improvements and asphalt the street in exchange for the lots.

Discussion was held regarding other improvements that are required and specified in the Subdivision Ordinance in order to finalize the Pendray Subdivision.

Further discussion was held regarding the need for a chain link fence to be installed along the canal that lies east of the Subdivision boundary. Also, a discussion was held regarding the need to install improvements, i.e. curb, sidewalk, and asphalt on a 49 foot graveled street that lies on the north side of Plat "L" within the Subdivision.

Following further discussion, Mr. Johnson was informed that those lots cannot be sold at this time because those lots are currently owned by Pendray Construction and are being held in a Trust Deed by Delta City as guarantee of the improvements in the Pendray Subdivision.

ELLEN MCMICHAEL, CITY RESIDENT: WEED CONTROL WITHIN DELTA CITY

Mayor Dafoe welcomed Ellen McMichael and asked her to address the City Council.

Ellen McMichael addressed the Mayor and City Council and expressed her concern regarding noxious weeds that are prevalent within Delta City at the present time. She said that White Top is flourishing and will soon go to seed if it is not sprayed. She asked what the City could do to control it along the City streets and in vacant lots.

Mayor Dafoe informed Ms. McMichael that the Public Works Department could begin spraying weeds the next day.

Mrs. McMichael then presented a form, "Individual Notice To Control Noxious Weeds" that the City could implement as notice to residents to control noxious weeds on their property.

Discussion was then held regarding junky lots within the City that are offensive to neighbors and other residents. Don Bird was in attendance and asked the City Council to review their ordinances to see what action the City can take to require that certain lots be cleaned up. This item will be discussed further at the next Regular City Council Meeting.

MAYOR DON DAFOE: THE UNIVERSITY OF UTAH SCHOOL ON ALCOHOLISM AND OTHER DRUG DEPENDENCIES

Mayor Dafoe explained that in a Regular City Council Meeting held April 12, 1993, Georgia Hare, Central Utah Mental Health, requested Delta City's financial support for two scholarships for individuals to attend the University of Utah School On Alcoholism and Other Drug Dependencies to be held June 20-25, 1993. This item was not on the agenda for that meeting; therefore, the City Council needed to ratify their action taken at that meeting.

Council Member Robert Droubay then MOVED to approve two scholarships and two meal tickets in the amount of \$860.00 for the School On Alcoholism and Other Drug Dependencies. The motion was SECONDED by Council Member Gayle Bunker. Mayor Dafoe asked if there were any comments or questions regarding the motion. There being none, he called for a vote. The motion passed unanimously.

MAYOR DON DAFOE: SIDEWALK, CURB & GUTTER ALONG EAST MAIN STREET

Mayor Dafoe said that discussion had previously been held regarding the placement of a sidewalk and curb along the north side of Mitch Myers property to the canal. However, after viewing the area along East Main Street he feels that a curb should be installed from the canal to 400 East. He recommended that Sunrise Engineering be hired to survey the area, and he has contacted J. R. Chamberlain, UDOT, and UDOT has agreed to asphalt the street to the curb.

Following discussion, Council Member Gayle Bunker MOVED to authorize the expenditure of funds to install curb from 400 East Main to the canal. The motion was SECONDED by Council Member Rex Harris. Mayor Dafoe asked if there were any comments or questions regarding the motion. There being none, he called for a vote. The motion passed unanimously.

MAYOR DON DAFOE: AMENDMENT TO SEWER DEPARTMENT FUND WITHIN THE DELTA CITY BUDGET FY 1992-1993 FOR EMERGENCY REPAIR AT THE SEWER LAGOON

Mayor Dafoe explained that 1400 Feet of 21 foot concrete pipe collapsed at the sewer lagoon and needed to be replaced with PVC

pipe during the last week. He said that a public hearing was held prior to the meeting for the purpose of receiving public comment regarding an amendment to the Sewer Department Fund. He said that it is necessary that funds in the amount of \$25,000 be transferred from the Sewer Capital Reserve Fund to the Sewer O & M Fund to pay for the repair. This amount includes the purchase of an oxygen meter that is to be used at the Sewer Lagoon.

Following discussion, Council Member Robert Droubay MOVED to authorize a transfer of \$25,000 from the Sewer Capital Reserve Fund to the Sewer O & M Fund to pay for repairs and an oxygen meter at the Sewer Lagoon. The motion was SECONDED by Council Member Alan Burraston. Mayor Dafoe asked if there were any comments or questions or items to be discussed. There being none, he called for a vote. The motion passed unanimously.

ATTORNEY RICHARD WADDINGHAM: ORDINANCE AMENDING SECTION 9-400 ALLOWING CONSUMPTION ONLY OF ALCOHOLIC BEVERAGES IN PRIVATE CLUBS AND TAVERNS UNTIL 2:00 A.M.

In view of Attorney Richard Waddingham's absence, Mayor Dafoe presented the following proposed ordinance entitled:

ORDINANCE NO. 93-152

AN ORDINANCE AMENDING SECTION 9-432.C. OF THE REVISED ORDINANCE OF DELTA CITY (1981), AS AMENDED, "OPERATING RESTRICTIONS" TO EXTEND THE CLOSING HOURS FOR ESTABLISHMENTS WITH LIQUOR LICENSES AND CLASS "B" BEER LICENSES FROM 1:00 A.M. TO 2:00 A.M., SUBJECT TO STATE LAW; AND RE-ENACTING A NEW SECTION, 9-432.D. TO SPECIFY THE DAYS AND HOURS LIQUOR MAY BE SOLD AT A PRIVATE CLUB ON CERTAIN HOLIDAYS AND ELECTIONS.

Following brief discussion, Council Member Robert Droubay MOVED to adopt Ordinance No. 93-152 as presented. The motion was SECONDED by Council Member Rex Harris. Mayor Dafoe asked if there were any comments or questions regarding the motion. There being none, he called for a roll call vote. The voting was as follows:

Council Member Gayle Bunker	Yes
Council Member Alan Burraston	Yes
Council Member Robert Dekker	Absent
Council Member Robert Droubay	Yes
Council Member Rex Harris	Yes

Mayor Dafoe then signed the ordinance and it was attested by City Recorder Dorothy Jeffery.

MAYOR DON DAFOE: TENTATIVE BUDGET FOR FY 1993-1994

The Tentative Budget for FY 1993-1994 was presented to the Mayor and each of the City Council Members.

Council Member Gayle Bunker MOVED to accept the Tentative Budget for FY 1993-1994 as prepared. The motion was SECONDED by Council Member Rex Harris. Mayor Dafoe asked if there were any comments or questions regarding the motion. There being none, he called for a vote. The motion passed unanimously.

MAYOR DON DAFOE: SCHEDULE PUBLIC HEARING TO CONSIDER ADOPTION OF TENTATIVE BUDGET FOR FY 1993-1994

Mayor Dafoe said that a Public Hearing is required to consider adoption of the Tentative Budget for FY 1993-1994 and asked for recommendations from the City Council.

Council Member Robert Droubay MOVED to schedule a Public Hearing on Monday, June 14, 1993, at 6:30 p.m. for the purpose of receiving public comment regarding adoption of the Tentative Budget for FY 1993-1994. The motion was SECONDED by Council Member Gayle Bunker. Mayor Dafoe asked if there were any comments or questions regarding the motion. There being none, he called for a vote. The motion passed unanimously.

COUNCIL MEMBER ROBERT DROUBAY: GIFT FOR JAPANESE/AMERICAN PILGRIMAGE

Mayor Dafoe asked Council Member Robert Droubay to discuss ideas for a gift for the Japanese/American Pilgrimage that is coming to Delta to visit the Topaz site.

Council Member Droubay said that there are approximately 400 people coming to Delta to visit the Topaz site during the Japanese/American Pilgrimage at the end of the month and recommended that a gift be given to them. He said that there are topaz rocks available for \$.20/ea. These rocks would be individually bagged with a brief history included.

Following brief discussion, Council Member Robert Droubay MOVED to authorize the purchase of 400 topaz rocks at \$.20/ea to be presented as a gift from Delta City. The motion was SECONDED by Council Member Gayle Bunker. Mayor Dafoe asked if there were any comments or questions regarding the motion. There being none, he called for a vote. The motion passed unanimously.

This donation is to come out of the Mayor/City Council Budget.

COUNCIL MEMBER ROBERT DROUBAY: MAIN STREET SIGN - WELCOME TO DELTA

Mayor Dafoe asked Council Member Robert Droubay to discuss the purchase of a "Welcome To Delta" banner.

Council Member Robert Droubay said that a "Welcome To Delta" banner that could be hung across Main Street would cost approximately \$250.00 and asked the City Council if they would be interested in

purchasing one for the Japanese/American Pilgrimage. He said that a banner could be used on many different occasions.

Following discussion, Council Member Gayle Bunker MOVED to deny the purchase of a banner at this time. The motion was SECONDED by Council Member Robert Droubay. Mayor Dafoe asked if there were any comments or questions regarding the motion. There being none, he called for a vote. The motion passed unanimously.

ATTORNEY RICHARD WADDINGHAM: CLOSED SESSION TO DISCUSS STRATEGY WITH RESPECT TO LITIGATION

In view of Attorney Richard Waddingham's absence, Mayor Dafoe recommended that the City Council meet in closed session to discuss strategy with respect to litigation.

Council Member Rex Harris MOVED to meet in closed session at 8:30 p.m. for the purpose of discussing strategy with respect to litigation. The motion was SECONDED by Council Member Alan Burraston. Mayor Dafoe asked if there were any comments or questions regarding the motion. There being none, he called for a roll call vote. The voting was as follows:

Council Member Gayle Bunker	Yes
Council Member Alan Burraston	Yes
Council Member Robert Dekker	Absent
Council Member Robert Droubay	Yes
Council Member Rex Harris	Yes

Following the closed session, Council Member Gayle Bunker MOVED to reconvene into Regular City Council Meeting at 9:00 p.m. The motion was SECONDED by Council Member Robert Droubay. Mayor Dafoe asked if there were comments or questions regarding the motion. There being none, he called for a vote. The motion passed unanimously.

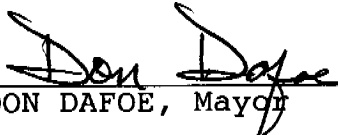
OTHER BUSINESS

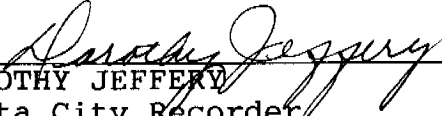
Discussion was held regarding a milk processing plant that may be located west of Delta. Annexation procedures were briefly discussed for the proposed location.

It was reported that the Avery Bishop home is being torn down.

Mayor Dafoe read a letter from Charlotte Morrison, Great Basin, Museum, thanking Delta City for the gravel that was recently spread in front of the museum.

Mayor Dafoe asked if there were any comments, questions or items to be discussed. There being none, Council Member Robert Droubay MOVED to adjourn. The motion was SECONDED by Council Member Rex Harris. Mayor Dafoe asked if there were any comments or questions regarding the motion. There being none, he called for a vote. The motion passed unanimously. Mayor Dafoe declared the meeting adjourned at 9:05 p.m.


DON DAFOE, Mayor


DOROTHY JEFFERY
Delta City Recorder

MINUTES APPROVED: RCCM 5-24-93